

CITY COUNCIL PROCEEDINGS
PUBLISHED SUBJECT TO THE GOVERNING BODY'S REVIEW AND REVISION

A regular meeting of the Beach City Council was called to order by Mayor Walter Losinski, on December 19, 2016 at 7:00 p.m. Present when the meeting was called to order was City Council Dell Beach, Tim Marman, Mark Benes, Jeanne Larson, Wade Walworth, PWS Mike Braden, City Auditor Kimberly Nunberg, City Attorney Gene Allen, Engineers Kenzie Robertson, Carl Jackson, Jerry Krieg, Josh Johnson, Adam Thompson, Jordan Mayer, Bob Procive, Jon Wilczek, and guests Tom Marman, Brandt Gaugler, Jim & Sonja Groll, Carrie Zachmann, Dan Farstveet, Jacob Holkup, Jim Fulton, Lea Farstveet, Duane Hanson, Earl Hollar, Loni Thilmony, Gary VanVleet and Larry Sabo.

Mayor Losinski recognized visitors in attendance and requested to change the agenda moving Interstate Engineering to the first item of business. Engineers Bob Procive, Josh Johnson, Adam Thompson and Jordan Mayer presented information on services available through Interstate Engineering.

Minutes – Minutes of the previous month meetings were read. Benes moved to approve the minutes, second by Larson. Motion carried unanimously.

Vouchers – Walworth moved to approve the following vouchers, second by Benes. Motion carried unanimously.

18876 Advanced Engineering & Environmental Services 1,009.50
18877 Allen Law Office 375.00
18878 Beach Park Board 2,383.38
18879 Beach Vet Clinic 50.00
18880 Beach Volunteer Fire Dept. 1,527.49
18881 Black Mountain Software 3,088.00
18882 BOSS 95.69
18883 Cameron Mills 6.60
18884 CNH Industrial 94.19
18885 Dakota Dust Tex 75.90
18886 Fallon County Treasurer 937.00
18887 Farmers Union 1,724.38
18888 G & G Garbage 600.00
18889 GIS Workshop 1,750.00
18890 Golden Valley County 9,565.00
18891 Golden Valley News 595.06
18892 Jill Schatz 165.67
18893 JSG Agency 11,105.00
18894 Kim Nunberg 23.85
18895 Marman Plumbing & Construction 500.00
18896 Mid-American Research Chemical 1,361.43
18897 Midstate Communication 248.72
18898 Midwest Doors 246.76
18899 MDU 5,809.70

18900 Morrison Majerle Systems 120.00
18901 One Call Concepts 11.55
18902 Power Plan 350.44
18903 Prairie Lumber 50.82
18904 Rohan's Hardware 26.95
18905 Safeguard Business Systems 84.79
18906 Southwest Water Authority 9,399.75
18907 Steffan Saw & Bike 131.77
18908 Stockwell Cleaning 250.00
18909 Valli 25.00
18910 Verizon Wireless 186.13
18917 City of Beach 321.36
18918 Beach Area Chamber of Commerce 1,100.00
18919 Beach Pharmacy 16.99
18920 Case Electric LLC 262.59
18921 G & G Garbage 1,200.00
18922 Golden Valley News 442.30
18923 Goldenwest Electric Cooperative, Inc. 333.00
18924 Marman Plumbing & Construction 2,100.00
18925 MDU 190.00
18926 ND Sewage Pump Lift Station Service 1,760.00
18927 SBM 17.99
18928 Sensus Metering System 1,893.15
18929 Total Safety U.S. Inc. 143.51
18930 Vernon Manufacturing 25.00
-89389-89386, -89384-89375, 18860-18861, 18866-18871 November Wages 21,328.89
18862 City of Beach 257.53
18863 United Community Church 300.00
18864 Beach Lions Club 250.00
18865 USPS 202.14
18872 ND PERS 2,501.12
18873 City of Beach 80.40
18874 Blue Cross Blue Shield 3,982.82
18875 Blue Cross Blue Shield 570.10
-89385 First State Bank of Golva 2,212.42
-89384 First State Bank of Golva 2,707.20

PWS Report:

PWS Braden reported on water mains and curb stops that needed to be repaired due to breaks in the line. The skating rink has been flooded twice. The city crew has been busy with snow removal but the windy conditions have made it difficult to keep some areas open.

Auditor Report:

Nunberg reviewed her written report. A letter was drafted to the State Water Commission opposing the water rate increase proposed by Southwest Water Authority for 2017. The deadline for submitting an application to ND DOT for Phase 3 Multi Use Trail is December 30, 2016.

Sheriff Report:

The Sheriff's Report for the month of November consisting of 26 calls, 3 written warnings and 4 citation was reviewed.

Engineer Report:

Engineer Robertson representing AE2S provided the City Council and guests with information regarding the proposed Street Improvement District 2016-2. Nineteen percent of the property owners protested the project. Mayor Losinski asked if any guests would like to comment on the project. Tom Marman spoke in favor of the project but inquired why the construction cost per foot on 6th Street N was so much higher than any other area. Robertson explained this particular area is in need of storm sewers. Marman mentioned if the project is approved, the Special Assessment Committee that is formed will need to determine the most beneficial way for the majority of property owners to be assessed. Dr. Jake Holkup spoke in favor of the project and asked how the project would be assessed. Nunberg explained the project costs would be assessed to the benefiting property over a period of 30 years. Jim Fulton, Earl Hollar and Larry Sabo were not in favor of the project, stating estimated costs are now higher than what were originally proposed. Carrie Zachmann spoke in favor of the project. Councilman Marman moved to table a decision until the next City Council meeting, second by Benes. Beach – yes, Marman – yes, Benes – yes, Larson – no, Walworth – no. Motion carried. Mayor Losinski called for a 5 minute recess.

New Business

Carl Jackson and Jerry Krieg with Kadrmas, Lee & Jackson (KLJ) were present to provide the City Council with explanation on their change in position of the City owing \$173,936.00 for additional excavation on the Lagoon Expansion Project which took place during the summer of 2015. Jackson stated KLJ's internal counsel and senior management reviewed the matter which wasn't done previously and have determined the Contractor is entitled to the \$173,936.00 as is being requested. Marman questioned who approved the additional excavation as it was not approved by the City Council/Mayor and was never submitted as a Change Order. Jackson stated KLJ is objectively reviewing this file representing the City, not the contractor. Mayor Losinski pointed out there have been 5 Engineers that have worked on this project since inception in 2013, none of which are employed by KLJ any longer. Marman stated the City stands firm in the fact that we do not owe the additional \$173,936.00. The City did not approve the additional excavation, the City has never received a bill for the additional excavation or a Change Order requesting the additional excavation. Jackson provided Nunberg with Contractor's Application for Payment No. 6 in the amount of \$173,936.00 for additional excavation on the Lagoon Expansion Project. No action was taken on the Contractor's Application for Payment No. 6.

No other business was brought forward. Benes moved to adjourn, second by Walworth. Meeting adjourned at 9:00 p.m. Motion carried unanimously.

ATTEST:

Walter Losinski, Mayor

Kimberly Nunberg, City Auditor